HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No.23946 of 2006

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Between:

Sampara Durga Srinivasa Rao

……Petitioner

And

Government of Andhra Pradesh, rep., by its Principal Secretary, Revenue (Endowments) Department, A.P. Secretariat, Hyderabad and three others

……Respondents

:: ORDER ::

Counsel for the Petitioner : Shri D.V.Nagarjuna Babu

November 17, 2006

Per G.S. SINGHVI, CJ

In this petition filed by Shri Sampara Durga Srinivasa Rao who is an advocate of 15 years standing and a member of Bezawada Bar Association, prayer has been made for quashing the action of the respondents in trying to shift the cloak room from the ghat road by allotting the same in favour of third party and also for quashing the allotment of shops without holding public auction.

We have heard Shri D.V.Nagarjuna Babu, learned counsel for the petitioner and perused the record. In our opinion, it is not necessary to decide the writ petition by recording a detailed order because we are convinced that the same is liable to be dismissed on the short ground that the persons to whom the cloak room and the shops have been allotted without holding public auction have not been impleaded as party respondents and without giving notice and opportunity of hearing to those persons, no order prejudicially affecting their right or interest can be passed by the Court in exercise of power under Article 226 of the Constitution of India.

For the reason aforestated, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, WPMP No.30553 of 2006 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

17-11-2006
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